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In re Application of :
Li. :
US Application No.: 10/520,563 :
PCT Application No.: PCT/CN02/00486 :
Int. Filing Date: 09 July 2002 :
Priority Date: 09 July 2002 :
Attorney's File Reference: 05-0107-LI :
For: ATMOSPHERE HEAT TREATMENT :
COCATALYST, METHOD OF ITS :
APPLICATION, HEAT TREATMENT METHOD :
AND HEAT TREATMENT ATMOSPHERE OF :
USING THE COCATALYST :

DECISION ON
PETITION UNDER
37 CFR 1.181

This is a decision on applicants' "Request for Reconsideration of Holding of Abandonment" filed on 09 August 2005.

BACKGROUND

On 23 January 2003, international application PCT/CN02/00486 was published with a priority claim to a Chinese application filed 04 July 2001.

On 07 January 2005, applicants filed a submission under 35 USC 371 to enter the U.S. national phase.

On 01 July 2005, a Notification of Abandonment (Form PCT/DO/EO/909) was mailed to applicants, indicating that this application had become abandoned with respect to the national stage in the United States for failure to provide the copy of the International Application by 30 months.

On 09 August 2005, applicants filed the present petition.

DISCUSSION

A review of the application file reveals that applicants withdrew the priority claim on 31 October 2003 as evidenced by Notification of Withdrawal of Priority Claim (Form PCT/IB/317) mailed 04 November 2003. Thus, the international filing date of 09 July 2002 is the priority date for the purposes of computing time limits. PCT Art. 2(xi)(c). Applicant paid the basic national

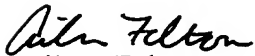
fee on 07 January 2005 which is within the 30 month timeframe required under 37 CFR 1.495(b) to avoid abandonment.

CONCLUSION

For the reasons above, the petition under 37 CFR 1.181 to withdraw the holding of abandonment is GRANTED.

The Notification of Abandonment (Form PCT/DO/EO/909) mailed 01 July 2005, is hereby VACATED.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing.



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